(*b*) is it a fact that two different systems are actually in force in Trichur and Ottupara markets;

(*c*) have Government taken any steps to enforce the same mode of collection in all the markets of the State?

Rao Bahadur T. K. Nayar *(Minister for Public Health)*:-

(*a*) Yes. Last year there was a complaint from the Ottupara licensee and a few curers.

(*b*) & (*c*) Two different systems are not in force.

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94. മിസ്റ്റർ ടി. കെ. എൽ. കുഞ്ഞുവറിയ്ക്ക്: താഴെ പറയുന്ന ചോദ്യങ്ങൾക്കു ബഹുമാനപ്പെട്ട ഗവണ്മെണ്ടു ദയവായി മറുപടി പറയുമോ.—

(എ) സാധാരണയായി പിണ്ണാക്കുവളം ചോദിക്കുന്നതു് ഏകദേശം എത്ര ദിവസത്തിൽ വീതമാണു്;

(ബി) കോംപ്ലക്ഷിക്കാക്കു് ഈ കൊല്ലം അപേക്ഷയുള്ളപക്ഷം എല്ലാവർക്കും കൊടുക്കുന്നതിനുവേണ്ടി ശേഖരിക്കുവാൻ ഉദ്ദേശിക്കുന്നുണ്ടോ?

മിസ്റ്റർ സി. ആർ. ഇയ്യുണ്ണി:

(എ) നിലത്തിന്റെ ഫലപുഷ്ടിയനുസരിച്ചു് ഇരുന്നൂറു മുതൽ ഇരുന്നൂറ്റമ്പതു ദിവസത്തിൽ വരെ.

(ബി) ഉവ്വു്.

2. Announcement—regarding election of non-official members to examine the report of the Pay Revision Committee

Mr. President: I have to announce that nominations of the following Members were received to the election of four non-official members to the Committee to examine the report of the Pay Revision Committee:

Mr. P. Sankara Menon, Mr. K. Natarajan Chettiar, Mr. K. K. Kannan, and Mr. A. Eachara Menon. These Hon'ble Members are therefore duly elected to the Committee.

3. President's ruling regarding interpretation of "the Council pass to the business next in order"

I shall now give my ruling on the point of order raised yesterday by Mr. P. Kumaran Ezhuthassan asking whether the Cochin Verumpattamdars Act (Amendment) Bill of Mr. A. Eachara Menon be taken up for consideration.

The question raised in the point of order is whether the acceptance of the motion that "the Council pass to the business next in order in the statement of business" has the effect of a final disposal of the business then under discussion or whether it has only the effect of advancing the other items in the statement of business fixed for that meeting thereby postponing the consideration of the matter which was then passed over. The argument that such a motion has the former effect is based upon the expression "the business then under discussion shall be considered to be disposed of" occurring in Standing Order 26.

A Bill shall be deemed to have been rejected only if any one of the three motions of introduction, taking into consideration or passing is not carried (Standing Order 42 (3)). A Bill shall lapse only under the conditions specified in Standing Order 4 (2). In spite of these clear provisions, the argument is that the motion to pass on to the business next in order, in the statement of business amounts to a rejection of the Bill then under discussion. I think that such an interpretation is not warranted by the language employed in Standing Order 26. The term "disposed of" occurring in the said Standing Order can mean only that the matter is "disposed of" for the purpose of that meeting, and not for the next or any other day of that meeting of the Council, and that it can be revived again, on notice being given. Else, the legislature would have stated that the business then under discussion shall be taken to have been rejected or finally disposed of by the House.

Under the practice obtaining in the British Parliament "The debate may be adjourned subject to similar conditions to those obtaining in respect of postponement of a question and adjournment. If carried the discussion shall be resumed at the next meeting." (Vide page 38

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of "The Chairman's Guide and Secretary's Companion"). A motion to adjourn the debate, simply defers the question to a future day. The motion for passing on to the next business, merely supersedes the matter then under discussion and the House must be taken to have refused to proceed with the discussion at that meeting but that "the Bill is not otherwise disposed of". I think therefore that the discussion can proceed from the stage at which it was left at the last meeting. The acceptance of the contention put forward by Mr. Kumaran Ezhuthassan will amount to attributing to the Legislature an intention to provide for a circumvention of the rules regarding Bills which can justifiably be rejected only if any of the motions relating to its passage is rejected. It is not right to attribute such an intent to the Legislature. The motion for passing on to the business next in the Agenda could have been intended only as a means to suspend the discussion of a subject for the time being, which can either well afford to wait or with a view to proceed to more urgent matters appearing in the statement of business or for any other purpose than stifling by an indirect method the open discussion of the matter resulting in a direct vote of the House which alone can be said to give a final disposal to the matter. Accordingly, I rule that it is in order to proceed with the further consideration of the Bill.

4. NON-OFFICIAL BILLS—*(cont.)*

(i) The Cochin Verumpattamdars' Act (Amendment) Bill

Mr. M. Sivarama Menon *(Advocate-General):* Sir, I wish to inform the House that the amendments standing on the order paper in my name are not being moved by me.

Mr. A. Eachara Menon *(Chittur-Tattamangalam):* The reason for having withdrawn the amendments is very plain; and so I withdraw the Bill.

Bill, by leave, withdrawn

(ii) The Cochin Verumpattamdars' Act (Amendment) Bill

* **Mr. L. M. Pylee** *(Latin Christian-Ernakulam):* Mr. President, Sir. I move for the introduction of the Cochin Verumpattamdars' Act (Amendment) Bill. In the statement of objects and reasons, Sir, I have made my purpose clear. The purpose of my Bill is to extend the benefit of the fixity of tenure provided for in the main Act to a certain class of Verumpattam lessees within the Municipal areas. Hon'ble Members are aware that by section 3 of the Act, lands situated within the Municipal towns but which are not used for paddy cultivation are excluded from the application of the Act. Thus the benefit of the fixity of tenure to the Verumpattam lessees is denied to such of them who happen to have their holdings within the Municipal areas. There is a prevalent opinion, Sir, especially in the lower ranks of society, the poorer class of society that this is a real hardship, which many residents in Municipal areas have to suffer. I crave the indulgence of the House in support of my contention and I would bring to the notice of the House that a memorial setting forth their case has been submitted to the Government and to His Highness the Maharaja by a representative body of such lessees inthe Municipal areas. Sir, I would request the House to bear with me if I take the liberty to quote at length some passages from this memorial because I think I cannot argue it better than bringing to the notice of the Hon'ble Members what has been stated in this memorial. Sir, it is here. "We beg to state that within the Municipal towns of the State, there are large numbers of Verumpattamdars (lessees). Most of these have only small holdings, often only a few cents of land. Usually these holdings are used for house sites. The lands are held from the jenmies (land-lords), several of whom are large institutions, like the Devaswams, the Jewish Synagogue, Mosques and Churches or very rich and powerful land-lords, who are individuals or joint families. The Verumpattam tenants within the Municipal towns usually belong to the poorer classes. Most of these lands have been held on Verumpattam tenure for long decades and generations. This unjust provision—I refer to section 3 of the Act which precludes Verumpattam lessees in the Municipal areas from enjoying the fixity of tenure which the lessees in rural parts enjoy—that unjust provision, the memorial says "is a powerful weapon in the hands of the jenmies. Armed with this weapon and in order to forestall any attempt that may be made to give relief to the tenants in this matter, the jenmies are trying to evict the lessees and resume possession of the holdings. The information, Sir, is that many of these lessees are being evicted and there are cases pending in the Court and with the apprehension that the Legislature may come to the aid of these lessees proceedings are expedited. Many of the jenmies are in a

* Speech not corrected by the Hon'ble Member.

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